

**ORDINANCE NO. 20120628-106**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 4020 AIRPORT BOULEVARD IN THE UPPER BOGGY CREEK NEIGHBORHOOD PLAN AREA FROM LIMITED OFFICE-VERTICAL MIXED USE BUILDING-NEIGHBORHOOD PLAN (LO-V-NP) COMBINING DISTRICT TO NEIGHBORHOOD COMMERCIAL-MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LR-V-MU-CO-NP) COMBINING DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from limited office-vertical mixed use building-neighborhood plan (LO-V-NP) combining district to neighborhood commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (LR-V-MU-CO-NP) combining district on the property described in Zoning Case No. C14-2011-0085, on file at the Planning and Development Review Department, as follows:

A 2.79 acre tract of land, more or less, out of the Thomas Hawkins Survey #9, ABST. 346 the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 4020 Airport Boulevard in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

**PART 2.** Except as specifically provided in Part 3 and Part 4 of this ordinance, the Property may be developed and used in accordance with the regulations established for the neighborhood commercial (LR) base district and other applicable requirements of the City Code.

**PART 3.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- A. Except as modified in this ordinance, development of the Property must comply with the site development regulations of the limited office (LO) zoning district as set out in City Code § 25-2-492.

- B. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.
- C. Vehicular access from the Property to Shieffer Avenue is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.
- D. Restaurant (general), restaurant (limited) or food sales uses must be a minimum of 500 sq. ft. in building coverage.
- E. Development of the Property may not exceed 45,000 square feet of building coverage.
- F. Development of the Property may not exceed 65 percent residential use.
- G. Hours of operation for any business on the Property are limited to 7:00 a.m. to 9:00 p.m.
- H. The height, as defined in City Code § 25-1-21, of any building or structure may not exceed 32 feet and a maximum of two stories.
- I. The following uses are prohibited uses of the Property:

- Service station
- Pet services
- Art workshop

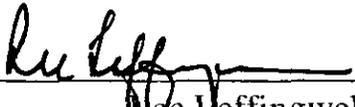
- Off-site accessory parking
- Financial services
- Printing and publishing

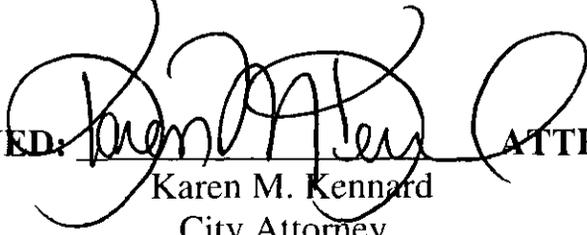
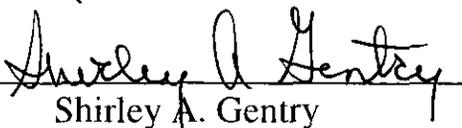
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the neighborhood commercial (LR) base district, the mixed use combining district and other applicable requirements of the City Code.

**PART 4.** The Property is subject to Ordinance No. 20020801-92 that established the Upper Boggy Creek neighborhood plan combining district.

**PART 5.** This ordinance takes effect on July 9, 2012.

**PASSED AND APPROVED**

June 28, 2012 §  
§  
§   
Lee Leffingwell  
Mayor

**APPROVED:**  **ATTEST:**   
Karen M. Kennard  
City Attorney  
Shirley A. Gentry  
City Clerk

FIELD NOTES TO 2.79 ACRES, MORE OR LESS, OUT OF THE THOMAS HAWKINS SURVEY #9, ABST. 346 IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, A PART OF THAT CERTAIN 7.52 ACRE TRACT CONVEYED TO RICHARD SCHIEFFER, ET AL BY DEED RECORDED IN VOLUME 2046, PAGE 15 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS:

BEGINNING at a concrete monument in the South line of Schieffer Avenue and the North line of that certain 7.52 acre tract conveyed to Richard Schieffer, et al by deed recorded in Volume 2046, Page 15 of the Deed Records of Travis County, Texas, said point being the Northeast corner of Lot 14, Block E, Schieffer Place, Section 5, according to the map or plat of said subdivision recorded in Book 12 Page 23 of the Plat Records of Travis County, Texas; said point being the most Westerly corner of a tract of land owned by the City of Austin, for the Northwest corner of the tract herein described;

THENCE with the South line of the said City of Austin tract and the North line of the said Schieffer 7.52 acres, S 60 deg. 09'E. 135.0 ft. to a stake in the West R.O.W. line of Airport Boulevard and the Northeast corner of the said Schieffer 7.52 acres, for the Northeast corner of this tract;

THENCE with the West line of Airport Boulevard and the East line of the said Schieffer 7.52 acres, S 5 deg. 25'E. 732.03 ft. to a concrete monument at the Northeast corner of Lot 1, Block E, Schieffer Place, Section 4, according to the map or plat of said subdivision recorded in Book 7, Page 82 of the Plat Records of Travis County, Texas, for the Southeast corner of this tract;

THENCE with the North line of Lots 1 and 2, Block E, S 84 deg. 38'W. 155.0 ft. to a concrete monument at the Northwest corner of said Lot 2 and the Northeast corner of Lot 3, for a corner of this tract;

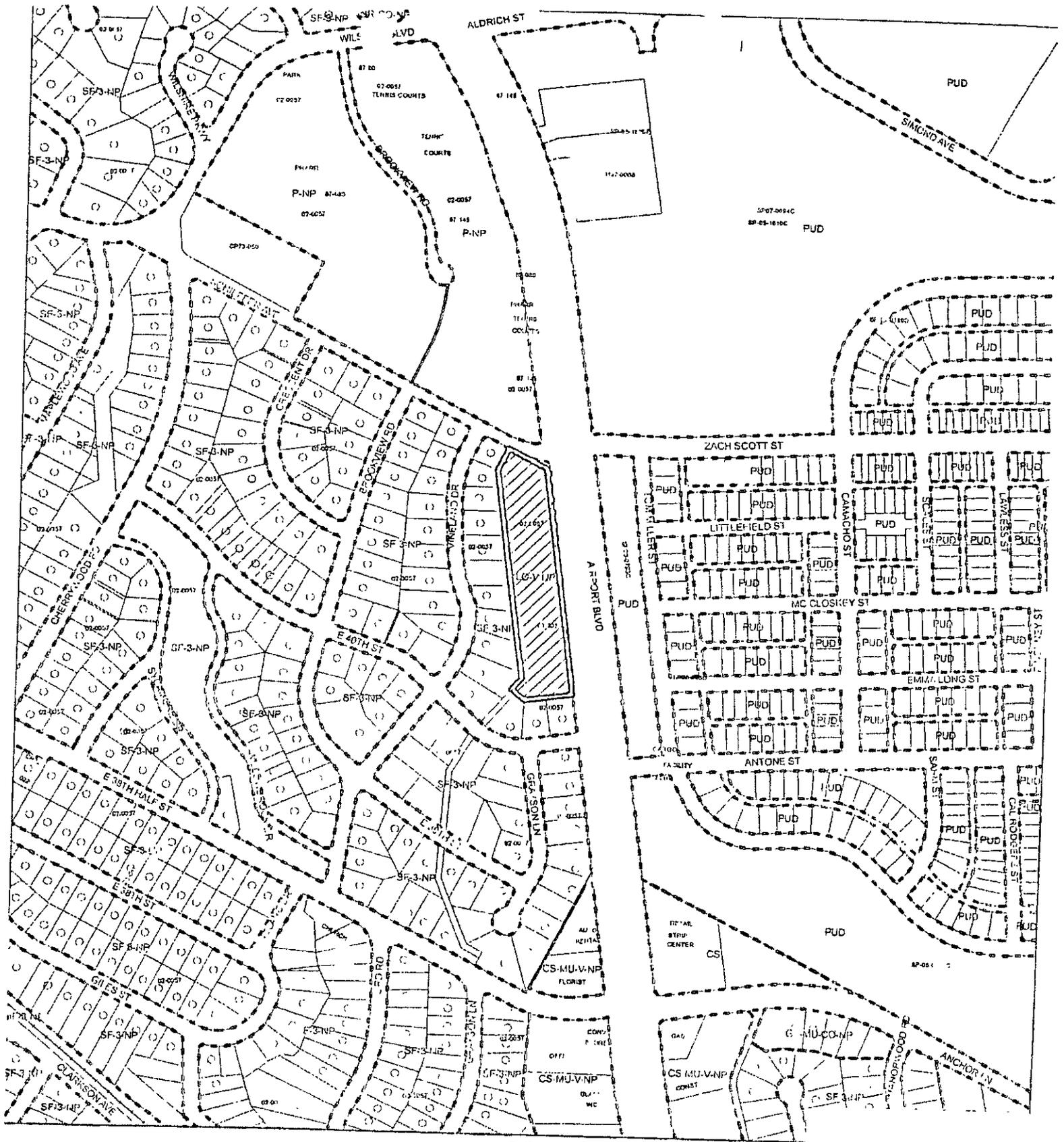
THENCE with the Northeast line of said Lot 3 and a 20 ft. drainage and utility easement, N 46 deg. 11'W. 52.98 ft. to a stake at the Northwest corner of the said 20 ft. easement in the East line of Lot 5, Block E, for the Southwest corner of this tract;

THENCE with the East line of said Lot 5, N 43 deg. 49'E. 45.75 ft. to an iron stake at a corner of said Lot 5, for a corner of this tract;

THENCE continuing with the East line of said Lot 5, N 5 deg. 22'W. 18.0 ft. to a concrete monument at the Southeast corner of Lot 6, Block E, Schieffer Place, Section 5, according to the map or plat

of said subdivision recorded in Book 12, Page 23 of the Travis County Plat Records, for an angle point in this tract;

THENCE with the East line of said Block E of Schieffer Place, Section 5, with the courses and distances as follows: N 6 deg. 05'W 160.10 ft., N 5 deg. 12'W. 498.51 ft., N 29 deg. 51'E. 77.47 ft. to the place of beginning, containing 2.79 acres of land, more or less.



**ZONING**

ZONING CASE#: C14-2011-0085  
 LOCATION: 4020 AIRPORT BLVD  
 SUBJECT AREA: 2.79 ACRES  
 GRID: L24  
 MANAGER: JERRY RUSTHOVEN

**Exhibit B**



-  N
-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 400'

This map has been produced by the Communications Technology Management Dept on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.